

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Tanel TENSION et al.

Application No.: 10/531,870

Filed: April 19, 2005

For: SELECTION SYSTEM CONTAINING  
NON-ANTIBIOTIC RESISTANCE  
SELECTION MARKER



) MAIL STOP SEQUENCE

) Group Art Unit: Unassigned

) Examiner: Unassigned

) Confirmation No.: 5979

**DECLARATION PURSUANT TO  
37 C.F.R. §§ 1.821-1.825**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

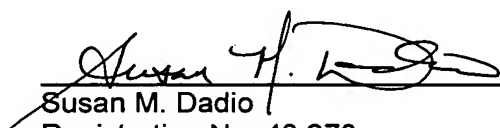
I, Susan M. Dadio, declare as follows:

1. That the content of the paper copy of the substitute Sequence Listing filed concurrently herewith and the content of the substitute computer readable copy of the Sequence Listing submitted herewith, in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same in compliance with § 1.821(f).

2. That the submission, filed in accordance with 37 C.F.R. § 1.821(g)[or (h)], herein does not include new matter [or go beyond the disclosure in the international application].

I hereby declare that all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

October 10, 2006  
Date

  
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Susan M. Dadio  
Registration No. 40,373